

HOOVER CITY COUNCIL MINUTES OF MEETING

DATE: Tuesday, July 5, 2016

TIME: 6:00 P.M.

PLACE: Hoover Municipal Center

PRESENT: Mayor Gary Ivey
Mr. Jack Wright, Council President
Mr. John Greene, Council Member
Mr. John Lyda, Council Member
Admiral Jack Natter, Council Member
Mr. Joe Rives, Council Member
Mr. Gene Smith, Council Member

ALSO PRESENT: Mr. Charlie Waldrep, Waldrep Stewart & Kendrick, City Attorney
Ms. April Danielson, Waldrep Stewart & Kendrick
Mr. Nic Waddell, Waldrep Stewart & Kendrick
Ms. Amanda Borden, Library
Chief Nick Derzis, Police Chief
Mr. Mike Lewis, Director, Human Resources
Mr. Rod Long, City Engineer
Mr. Frank Lopez, Director, Revenue and Taxation
Dr. Melinda Lopez, Director, Information Management & Reporting
Mr. Allen Pate, Executive Director
Mr. Umang Patel, Municipal Court
Mr. Ben Powell, Purchasing Director
Mr. Tim Westhoven, Assistant Executive Director
Chief Chuck Wingate, Fire Chief
Mr. Jim Wyatt, Director, Inspection Services
Mr. Robert Yeager, Finance Director

The meeting was called to order by Council President Jack Wright.

The clerk had roll call and a quorum was present. **Councilman Brian Skelton** passed away on July 2, 2016. His name was included in roll call in honor of his many years of service to the City of Hoover.

The clerk gave the invocation.

The Pledge of Allegiance was led by Mr. Rives.

1. REPORTS

The City Attorney read a **Proclamation** recognizing the month of July as **Parks and Recreation Month** in the City of Hoover. Mayor Ivey presented the framed proclamation to Morgan VonBehren, a Hoover Park and Recreation employee, and Randy Lott, Park Board Member.

2. **APPROVAL OF MINUTES**

Mr. Wright stated each member of the Council had previously received a copy of the minutes of the June 20, 2016 regular meeting and June 30, 2016 work session.

Mr. Greene made a motion that the minutes be approved as presented and to dispense with the reading. This motion was seconded by Mr. Rives and Admiral Natter. Mr. Wright called for discussion. There being none, on voice vote the motion carried unanimously.

3. **PUBLIC HEARING – ABATEMENT OF PUBLIC NUISANCE DUE TO WEEDS AND/OR GRASS – 2228 TAL BROOK ROAD – RESOLUTION NO. 5427-16**

Mr. Wright stated that a motion to withdraw this resolution was in order.

Mr. Smith made a motion to **withdraw** Resolution No. 5427-16. This motion was seconded by Admiral Natter. Mr. Wright called for discussion. There being none, on voice vote the motion carried unanimously.

4. **RESOLUTION NO. 5428-16 – DECLARE PROPERTIES AS PUBLIC NUISANCES DUE TO WEEDS AND/OR GRASS**

The City Attorney read Resolution No. 5428-16. This would declare properties located at 512 Oakline Drive, 3417 Hurricane Road, and 1536 Holly Road as public nuisances due to weeds and/or grass. The resolution originally included 1770 Deo Dara Drive and 3173 Boxwood Drive but these have been removed as the grass has been cut to the city's satisfaction.

Mr. Smith made a motion to approve **Resolution No. 5428-16 as amended**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council.

Admiral Natter inquired as to how the city retrieves its money on properties where the city goes in and cuts the grass. Mr. Robert Macke, Zoning Enforcement, said the city has the ability to place a lien on the property. Mr. Allen Pate said that from time to time the city has sent bills but has not been successful in collecting them. The city could place a lien on the property but has not done so in the past. He said it would be the call of the Council as to whether the city would start placing liens. Admiral Natter noted that the city had been a good citizen in the past but what about a property owner who continually allows the grass to grow knowing that the city will cut it and not collect for it. Mr. Pate noted that the city would be tougher on those situations but most of the cases are situations of foreclosure or some reason the grass is not being cut and the money is not there for the city to collect unless a lien is placed on the property and once the property sells the money can be collected. Mr. Pate said the city probably spends less than one hundred dollars to clean up one property. Admiral Natter said it would cost more than that to file a lien. Mr. Pate concurred. Mr. Smith asked would the city be subject to receive the legal fees for placing the lien once the property is sold. Mr. Waldrep said it is just the actual costs and would not include legal fees. The city could receive the costs of filing the lien if there is a filing fee. Mr. Greene asked Mr. Pate if he had an estimate of what is spent annually. Mr. Pate guesstimated that the city does less than twenty of these per year so maybe \$3,000 or less.

There being no additional questions from the Council or the audience, on voice vote the motion carried unanimously.

5. **RESOLUTION NO. 5429-16 – DECLARE EQUIPMENT, VEHICLES & POLICE MOTORCYCLES AS SURPLUS**

The City Attorney read Resolution No. 5429-16. This would declare city owned equipment and vehicles as surplus to be sold at public auction; and two police motorcycles to be sold to other law enforcement agencies.

Mr. Smith made a motion to approve **Resolution No. 5429-16**. This motion was seconded by Admiral Natter. Mr. Wright called for discussion from the Council or the audience.

Admiral Natter asked Chief Derzis if the motorcycles would be sold to law enforcement agencies in Alabama or out of state as was done recently. Chief Derzis said these would probably be sold to some small local agencies. Admiral Natter asked if it was the policy of the police force to offer them to local agencies first before going out of state. Chief Derzis said they would put the feelers out and find out who is interested. With regard to the recent sale of motorcycles to an out of state agency Chief Derzis said some of the Hoover Police Officers who recently worked the races at the Talladega Speedway talked with some police departments from Virginia. There is one in Martinsville that was economically hurting and could not afford to buy new equipment so they contacted the Hoover Police Department about buying the used motorcycles.

There being no further discussion, on voice vote the motion carried unanimously.

6. **CHANGE ORDERS – HOOVER SPORTS AND EVENT FACILITY**

Mr. Wright stated this item is regarding the following change orders to the Hoover Sports and Event Facility project:

Change Order No. 1 - Add – Hoover Sports & Events Facility Package 1A – Dunn Construction

Change Order No. 1 - Deduct – Hoover Sports & Events Facility Package 1B – Rabren General Contractors.

Mr. Tim Westhoven reiterated his comments from the work session that the first change order with Dunn Construction is not an add to the project itself. It is actually bringing forward from a future phase of the project involving the clerestory window add to the roof to complete the metal building. The second change order is a deduct with Rabren General Contractors for the electrical conduit that is no longer needed and has been eliminated which offered the city a \$280,000 deduct over the entire project.

Mr. Smith made a **motion to approve** the change orders for Packages 1A and 1B. This motion was seconded by Admiral Natter. Mr. Wright called for questions from the Council or the audience. There being none, on voice vote the motion carried unanimously.

7. **1ST READING ORDINANCE NO. 16-2309 – AMEND MUNICIPAL CODE – PROVIDE FOR AND REGULATE MOBILE FOOD UNITS (FOOD TRUCKS)**

The City Attorney had the First Reading of Ordinance No. 16-2309. This would amend the Municipal Code, Chapter 8, Article XIII, to provide for and regulate mobile food units, also known as food trucks, within the City of Hoover.

The second reading and consideration for adoption will be on Monday, July 18, 2016.

8. **PAYMENT OF BILLS**

Mr. Smith made a motion that the bills be paid as submitted. This motion was seconded by Admiral Natter. Mr. Wright called for questions or comments from the Council or the audience. There being none, on voice vote the motion carried unanimously.

Mr. Wright called for additional comments or questions from the Council.

Mr. Smith commended the city staff on the success of the **Freedom Fest** event held on July 4th. He understood there were close to 12,000 attendees.

Admiral Natter said he was unable to attend the work session. He asked if Mr. Yeager would share some information about the recent bond issue. Mr. Yeager said the city provided a press release on June 30 regarding the bond issue. He said that on June 28 the city went to market and ended up issuing about \$68.6 million worth of bonds. They were all sold at a premium so instead of borrowing \$80 million the city was able to borrow 68.6 million but still net the \$80 million through the use of these premium bonds. The city received one of the lowest interest rates on an Alabama credit in the last one hundred years because of the confluence of different factors. The city's good credit being one of them but then the market uncertainty and dropping of interest rates due to the exit of Great Britain from the European Union just a few days before the city went to market. The city is saving on the front end about \$500,000 per year on interest payments. The principal payment will go up slightly in the last fourteen years and the city will recognize overall about a \$5 million savings on what was anticipated just a week or two before going to market. That is how much there was a drastic change in the market place.

The Council congratulated Mr. Yeager on having the right team at the right place at the right time.

There were no additional comments or questions from the Council.

Mr. Wright asked everyone to stand for a **closing moment of silent meditation for Brian Skelton and his family**.

Mr. Wright adjourned the meeting at 6:18 p.m.

Margie Handley, City Clerk